

January 29, 2019

Via ECF

The Honorable Christina Reiss
United States District Court, District of Vermont
P.O. Box 446
Burlington, VT 05402-0446

Re: *Black Love Resists in the Rust et al. v. City of Buffalo et al.*; No. 18-CV-719

Dear Judge Reiss:

The National Center for Law and Economic Justice, along with the Center for Constitutional Rights and the Western New York Law Center, represents the Plaintiffs in *Black Love Resists in the Rust et al. v. City of Buffalo et al.* We write to advise the Court of the current status of discovery in this matter.

Thus far, Defendants have produced very little in response to Plaintiffs' requests. For example, though Plaintiffs served discovery on November 5, 2018, Defendants have yet to produce a single email or other ESI. However, the parties have continued to confer and earlier today agreed to the following schedule for the supplementation and/or amendment of Defendants' Responses:

- Defendants will supplement and/or amend their Responses to Interrogatories 1, 2, and 3 by February 5;
- Defendants will make their first production of ESI within thirty days from the date Plaintiffs propose additional search terms, which Plaintiffs intend to do this week. Defendants will make subsequent productions on a schedule to be mutually determined by the parties.

Plaintiffs expect to provide Defendants with additional custodians for the search of responsive documents and ESI based on the information contained in forthcoming productions. The Parties have scheduled another conferral to continue discussing these issues for February 12.

Thank you very much for your ongoing attention. Plaintiffs will advise the Court should the need for judicial intervention arise as to any of the above-described matters.

Respectfully Submitted,

Claudia Wilner
Senior Attorney

Cc: All counsel of record (via ECF)